

106TH CONGRESS
2D SESSION

H. RES. 588

Expressing the sense of the House of Representatives with respect to violations in Western Europe of provisions of the Helsinki Final Act and other international agreements relating to the freedom of individuals to profess and practice religion or belief.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 21, 2000

Mr. SALMON (for himself, Mr. PAYNE, and Mr. GILMAN) submitted the following resolution; which was referred to the Committee on International Relations

RESOLUTION

Expressing the sense of the House of Representatives with respect to violations in Western Europe of provisions of the Helsinki Final Act and other international agreements relating to the freedom of individuals to profess and practice religion or belief.

Whereas under Article 18 of the Universal Declaration of Human Rights, “Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance”;

Whereas under Article 18 of the International Covenant on Civil and Political Rights, “No one shall be subject to coercion which would impair his freedom to have or adopt a religion or belief of his choice”;

Whereas the Participating States of the Organization for Security and Cooperation in Europe (OSCE), have undertaken a series of specific commitments designed to ensure the freedom of the individual to profess and practice religion or belief, including a commitment by those States to ensure the full and effective exercise of the freedom of thought, conscience, religion, or belief, in their laws and regulations;

Whereas Principle VII of the Helsinki Final Act commits the OSCE Participating States to “recognize and respect the freedom of the individual to profess and practice, alone or in community with others, religion or belief acting in accordance with the dictates of his own conscience”;

Whereas the 1989 Vienna Concluding Document commits the OSCE Participating States to “take effective measures to prevent and eliminate discrimination against individuals or communities on the grounds of religion or belief in the recognition, exercise and enjoyment of human rights and fundamental freedoms in all fields of civil, political, economic, social and cultural life”;

Whereas in the 1991 Moscow Document, the OSCE Participating States “categorically and irrevocably declare that the commitments undertaken in the field of the human dimension . . . are matters of direct and legitimate concern to all participating States and do not belong exclusively to the internal affairs of the State concerned”;

Whereas freedom of thought, conscience, religion, or belief is inextricably linked to the exercise of other rights, including the right to freedom of peaceful assembly and association, the right to freedom of association with others, and the right to freedom of expression, and the recognition that all persons are equal before the law and are entitled without any discrimination to the equal protection of the law, including in employment;

Whereas the Department of State's annual reports on religious freedom and human rights have documented numerous instances of government discrimination based on religion or belief in Western Europe, including discriminatory acts against American members of several different religious denominations and beliefs;

Whereas the Office of the United States Trade Representative has listed Germany as a country engaged in discriminatory trade practices because of "sect filter" guidelines issued to all federal government ministries and used by German state and local governments, which have the potential to discriminate against United States firms in German procurement decisions by permitting government entities to reject bids and immediately terminate contracts if a firm does not sign a "sect filter" document attesting that the firm and its employees are not affiliated with certain religious beliefs;

Whereas a bill passed by the French National Assembly on June 22, 2000, contains repressive measures which would have a chilling effect on the freedom religion and belief, including the dissolution of targeted religious associations, the imprisonment of members of such groups, and infringement upon freedom of speech, including speech

intended to persuade another person to a particular point of view, whether philosophical or religious;

Whereas a 1996 French National Assembly report listed 173 organizations as suspect, including independent evangelical Christian churches, Scientologists, Jehovah's Witnesses, and Unificationists and this report has been used by both private and official entities to harass, intimidate, deny employment, and deny commercial loans to listed groups, and members of other religious groups, such as Southern Baptists, Seventh Day Adventists, the Catholic Charismatic Renewal movement, Opus Dei, and the Society of Jesus, have also been subject to recent discrimination and harassment at the hands of the French Government;

Whereas the Parliament of Austria passed a law in 1997 which codified a tiered system of government recognition and preferential treatment, including government funding of religious groups, and which requires religious groups seeking recognition to undergo government surveillance for at least 10, or up to 20, years to prove legitimacy to government officials;

Whereas the Austrian law on religion is cited as justification for more repressive laws being proposed in nascent democracies further east, such as Hungary and Romania and has been cited by Russian officials as justification for an oppressive 1997 Russian religion law;

Whereas the Government of Austria has instituted a "sect" office which disseminates official propaganda on religious groups not recognized by the government and leading to a chilling effect on religious liberty;

Whereas the Parliament of Belgium issued a report in 1997 on “sects” with a widely circulated informal appendix listing 189 groups as suspect, including many Protestant and Catholic groups, Quakers, Hasidic Jews, Buddhists, and members of the Young Women’s Christian Association (YWCA), based on rumor and speculation found in police files, and implicitly warning the public to avoid such “dangerous” groups;

Whereas the Parliament of Belgium has established a government “Advice and Information Center on Sects” which disseminates official views on groups considered “sects” as defined by the list in the appendix to the 1997 Belgian Parliament report;

Whereas some evangelical and charismatic Christian churches have been targeted in parliamentary investigations in France, Belgium, and Germany;

Whereas Jehovah’s Witnesses have been subjected in France to various forms of harassment, including the denial of the freedom to assemble for worship in facilities permitted to be used by other faiths and are the targets of governmental tax audits and punitive tax assessments, continue to suffer religious discrimination and the economic consequences of being categorized as a “dangerous sect” by France’s Parliamentary Commission on Sects, have been informed by German tax authorities that the long-standing exemption from property taxation for their houses of worship may be canceled in the near future, have been labeled a “hard core sect” in Belgium by some educators, continue to suffer from employment discrimination in Austria, France, and Germany, and are discriminated against in foster parent proceedings in Germany and in child custody matters in Belgium;

Whereas Muslims have been subjected to harassment, including police brutality and attacks by extremist groups, particularly in Germany and France, and Muslim women are subject to frequent discrimination and other forms of abuse and harassment because they wear a head covering;

Whereas adherents to the Church of Jesus Christ of Latter-day Saints have been subject to continued acts of harassment, including confiscation of religious materials, and are prevented from freely sharing their beliefs in several OSCE Participating States;

Whereas Scientologists have been subject to pervasive civil, political, and economic discrimination, harassment, surveillance, and orchestrated boycotts in Germany, France, Belgium, and Austria; and

Whereas these actions by Western European governments have contributed to intolerance by public and private actors who have discriminated in hiring practices or terminated employment based on an individual's religious affiliation: Now, therefore, be it

Resolved, That the House of Representatives—

(1) disapproves of the growing intolerance, discrimination, and violence directed against individuals and groups because of their religion or belief, in violation of the Helsinki Final Act and other international agreements;

(2) expresses grave concern about the adoption of laws and regulations by Participating States of the Or-

ganization for Security and Cooperation in Europe (OSCE) that—

(A) discriminate against minority or so-called “nontraditional” religions or beliefs; and

(B) limit the freedom of individuals to profess and practice religion or belief, including laws restricting religious speech and assembly; and

(3) calls upon the President and the Ambassador at Large for International Religious Freedom to—

(A) raise violations of the freedom of thought, conscience, religion, or belief, at every appropriate level with representatives of countries that have failed to implement their international commitments and obligations in this regard;

(B) ensure that the United States makes full use of existing meetings and structures of international organizations, including meetings of the OSCE Permanent Council as well as periodic implementation review meetings on human dimension issues, to raise violations of Participating States’ freely undertaken international commitments both to protect and to provide for the full and effective exercise of the freedom of thought, conscience, religion, or belief under their respective jurisdictions; and

(C) support the inclusion of experts on religious liberty on United States delegations to appropriate meetings of international organizations, including the OSCE.

○